

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL E. MEGGINSON,

Plaintiff,

-against-

ESH ADW MORALES, et al.,

Defendants.

USDC SDNY
DOCUMENT
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1:22-cv-03815-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on May 10, 2022. [ECF No. 2.] On July 12, 2022, this Court issued a Valentin Order, directing the New York City Law Department to identify and provide the names and addresses of Defendants to Plaintiff by August 12, 2022. [ECF No. 11.] The Valentin Order further directed Plaintiff to file an amended complaint within thirty days of receiving this information. [ECF No. 11.]

On August 11, 2022, the New York City Law Department filed a Certificate of Service. [ECF No. 13.] However, on August 22, 2022, Plaintiff informed the Court of his change in address. [ECF No. 14.] Accordingly on September 21, 2022, the New York City Law Department filed another Certificate of Service. [ECF No. 15.] To date, Plaintiff has not filed an amended complaint or taken any other action to prosecute this case. Nor has Plaintiff requested a further extension of time to file an amended complaint.

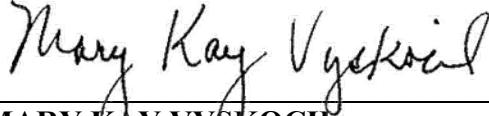
Accordingly, IT IS HEREBY ORDERED that, by November 28, 2022, Plaintiff shall file a letter explaining why this case should not be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. Plaintiff shall explain why he should not be sanctioned, in lieu of the harsher sanction of dismissal. Plaintiff is on notice that he is ultimately responsible for prosecuting his case, and this case may be dismissed because of his failure to comply with court orders and

prosecute his case. *See Triestman v. Fed. Bureau of Prisons*, 470 F.3d 471, 477 (2d Cir. 2006) (“[P]ro se status ‘does not exempt a party from compliance with relevant rules of procedural and substantive law.’” (quoting *Traguth v. Zuck*, 710 F.2d 90, 95 (2d Cir. 1983)).

The Clerk of Court is respectfully requested to mail a copy of this Order to the pro se Plaintiff at the address of record.

SO ORDERED.

Date: October 27, 2022
New York, NY



MARY KAY VYSKOCIL
United States District Judge